



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,781	11/18/2003	Zyad Ahmad Dwekat	11000060-0030	4548

26263

7590

06/25/2009

SONNENSCHN NATH & ROSENTHAL LLP

P.O. BOX 061080

WACKER DRIVE STATION, SEARS TOWER

CHICAGO, IL 60606-1080

EXAMINER

AL AUBAIDI, RASHA S

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

06/25/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/715,781

Applicant(s)

DWEKAT ET AL.

Examiner

RASHA S. AL AUBAIDI

Art Unit

2614

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-13, 15-20, and 22-29 is/are rejected.
- 7) ☒ Claim(s) 3, 14, 21 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date 03/02/2009
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This in response to pre-Brief conference decision mailed 04/09/2009.

Allowable Subject Matter

2. Claims 3, 14, 21 and 30 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-2, 4-12, 15-20, 22-28, and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis (US PAT # 6,285,748) in view of Kline et al. (US PAT # 4,456,788).

Regarding claim 1, Lewis teaches a method for managing telecommunication (reads on the network traffic controller system, see abstract), the method comprising: receiving information regarding the configuration of telephony circuits (see col. 1, lines 35-38); receiving traffic information regarding the historical volume of traffic (see col. 1, lines 39-52) using the hardware (see col. 3, lines 11-18). Lewis teaches the terminals 102, 104 and 106, have a display unit as shown in Figs. 1 and 2.

However, Lewis does not specifically teach that the actual management is preformed to "trunk groups" as recited in the claims language.

Yet, the Examiner introduces Kline which simply teaches in a telecommunication network a tandem switch generates trunk group management data (see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of providing trunk group management, as taught by Kline, into the Lewis system in order to expand the network management to cover larger number of customers/subscribers such as those served by business that

have trunk group (i.e., T1). Also, since Lewis does not also teach "displaying information regarding at least one trunk group...etc" as recited in claim 1, then it is obvious to have these kinds of information presented on display in order to make these types of information visible and easy to track. The use of display is old and well known in the art. Note that if the Lewis reference is able to manage and monitor communications lines between or among device within a network, then it is extremely obvious that Lewis reference is capable to apply that teaching to manage and monitor trunk groups instead.

Claims 7, 19, and 34 are rejected for the same reasons as discussed above with respect to claim 1. The claimed feature of "determining the percentage utilization of each trunk group...etc" as recited in claims 13 and 29 is obvious if not inherent and it is reflected on the table 1 (see col. 4).

Claims 2, 4, 15, 20, 22-23 and 31 are rejected for the same reasons as discussed above with respect to claims 1, 13, 19 and 29. Lewis teaches that the monitoring and controlling the traffic is done automatically. Lewis does not teach that a user may select and control the displayed trunk group as recited in claims 12, 14, 20 and 30. However, it is obvious to one of ordinary skill in the art at the time the invention was made to controlling trunk group either manually or automatically. The feature of automatic verses manual is obvious and well known in the art and it does not raise to the level of patentability. *In re Venner*, 262 F. 2d 91, 95, 120 USPQ 193, 194 (CCPA 1958); the court held that broadly providing an automatic or mechanical means to

replace a manual activity which accomplished the same result is not sufficient over prior art.

The limitations of claims 5-6, 16-18 and 32-33 of "removal" and "addition" of trunk are obvious and well known in the art because obviously an ordinary skill in the art may select and choose to add more trunks or remove trunks based on the need and desire.

Regarding claims 8-10 and 24-26, see col. 3, lines 56-67 and col. 4, lines 1-43.

Regarding claims 11 and 27 limitations, see col. 1, lines 8-22, col. 2, lines 1-14 and col. 4, lines 53-67.

For claims 12 and 28, see Fig. 3.

4. Claims 13 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis (US PAT # 6,285,748) in view of Kline and further in view of Szybicki (US PAT # 4,756,019).

The limitations of Lewis and Kline are already discussed in the above rejection. What neither Lewis nor Kline teaches alone or in combination is "determining the percentage utilization for each trunk group" as recited in the claim's language.

However, Szybicki teaches in a traffic routing and automatic network

management system for telecommunication network, the network can be scanned frequently in order to view and determine the traffic and load status in the nodes for each different trunk groups (see abstract). Note that the claimed feature of "determining the percentage utilization for each trunk group" is obvious if not inherent limitation within the teachings of Szybicki.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of determining traffic, load status and utilization, as taught by Szybicki, into the combination of Lewis and Kline in order to enhance the system's efficiency by providing actual and accurate data that will assist in managing the trunk groups.

Response to Arguments

5. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ash et al. (US PAT # 4, 669,113) teach a system that receives traffic information which are measured of traffic load over a given time period from the network. That

information is very helpful in determining the needed total number of trunks that out to be allocated for traffic to each office and is also helpful in determining the appropriate routing sequences (see abstract).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S. AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Rasha S AL-Aubaidi/

Primary Examiner, Art Unit 2614

Application/Control Number: 10/715,781
Art Unit: 2614

Page 8